

No. 2011-71

AN ACT

SB 745

Amending the act of July 5, 1984 (P.L.587, No.119), entitled "An act empowering the Department of Transportation to preserve and improve rail freight service in the Commonwealth by making grants, loans or other assistance available to qualified applicants; authorizing a comprehensive rail study; making an appropriation; and making repeals," further providing for contracts, procurement and sale of property and competition in award of contracts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 7(a)(1) of the act of July 5, 1984 (P.L.587, No.119), known as the Rail Freight Preservation and Improvement Act, is amended to read:

Section 7. Contracts; procurement and sale of property; competition in award of contracts.

(a) Contractual authority.—

(1) The department shall have the power and authority to enter into contracts and to make joint contracts of purchase with any railroad company, transportation organization or municipality in any manner complying with the law applicable to the entity. The department shall have power and authority to make contracts for the improvement of any rights-of-way, roadbeds or rolling stock, electrification systems, other transportation systems, or any parts thereof, constituting a project without advertisement for competitive bids, where such work is to be done at cost by the personnel and with the facilities of the railroad company, *or any of its wholly owned affiliates*, local transportation organization or municipality on whose system the property is to be used.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 7th day of July, A.D. 2011

TOM CORBETT